



# Promoting the development of a democratic society

The Swedish Library Act according to the legislator

 Swedish Library Association

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# Promoting the development of a democratic society

The Swedish Library Act according to the legislator

The Swedish Library Act (2013:801) establishes the framework for the activities of Swedish libraries. The Act applies to all library activities financed with public funds.

The Library Act emphasises the importance of libraries for the development of a democratic society and the foundational role they play for knowledge transfer and the free formation of opinions. In this way, the Act is linked to how the basic mission of libraries is expressed in international contexts, for instance in the various library manifestos of IFLA and UNESCO.

## Background

In 2013 the Swedish Government submitted a proposal for a new library act to the Riksdag, the Swedish Parliament. The Riksdag decided in accordance with the government proposal, and the Library Act came into effect on 1 January 2014. Thus, it superseded the Library Act from 1996.

The government bill, New Library Act (Govt Bill 2012:13/147), makes clear how the provisions of the Act should be interpreted. This text states which considerations underlie and what motives have guided the formulation of the Act.

Below is a summary of the motives behind the provisions. The aim is to highlight what the Riksdag and the Government wished to achieve with the Act, and to clarify what the Act is about beyond the sometimes rather abrupt and technical formulations found in the various sections.



## Scope

1§ This Act regulates the public library system. The public library system comprises all publicly financed library activities and consists of

1. public libraries,
2. school libraries,
3. regional library activities,
4. university libraries,
5. interlibrary lending centres, and
6. other publicly financed library activities.

## The Library Act applies to all types of libraries

The Library Act establishes the framework for the activities within the public library system in Sweden. Included in the public library system are all libraries that are financed mainly through public funds, irrespective of whether they are run at the municipal, regional, or national level.

The Act applies to public libraries and school libraries, regardless of whether they are under private or public management. The Library Act also applies to the library activities of the county councils and of state libraries such as the National Library of Sweden, university libraries, and the libraries of public authorities. Another example of a type of library that is covered by the Act are hospital libraries.

Although the general provisions of the Act apply to all libraries within the public library system, there are also a number of separate provisions that concern specific types of libraries.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 9-11.



## Aims

**2§** The libraries in the public library system shall promote the development of a democratic society by contributing to the transfer of knowledge and the free formation of opinions.

The libraries in the public library system shall promote the status of literature and an interest in learning, information, education, and research as well as other cultural activities. Library activities shall be available to everyone.

## The basic mission

The Library Act establishes the overarching aim of the public library system:

- The libraries in the public library system shall promote the development of a democratic society by contributing to the transfer of knowledge and the free formation of opinions.

With this formulation, the legislator makes a connection with how the basic mission of libraries is expressed in international contexts, for instance in the various library manifestos of IFLA and UNESCO.

The government expressly states that the provision has been formulated to reflect the entire public library system. Knowledge transfer is something that unites the various types of libraries in the public library system. In spite of the differences between, e.g., a university library and a public library, both are tasked with making knowledge in different forms available.

According to the government, this provision contains the idea that democracy is fortified and deepened when private individuals are given increased knowledge and good conditions for a free exchange of opinions and for discussion about common affairs. The idea that libraries

should promote the development of a democratic society expresses a goal of universal participation in society, which is supported through knowledge transfer and the free formation of opinions. The government points out that libraries are of special importance to groups that lack economic or other means to acquire or find the sought after material.

According to the government, the idea that libraries should contribute to the free formation of opinions means that they should assume a neutral position in relation to the information that is supplied, and that they also should support a free exchange of opinions in their other activities. The provision means that library activities must be characterised by openness to various perspectives and that they must be free of censorship and other obstructive measures. Freedom of expression is the foundation upon which the free formation of opinions rests.

### **What public libraries should promote**

In addition to the overarching aim of libraries, certain values are specified in the Library Act that are meant to be guiding principles for library activities:

- The libraries in the public library system shall promote the status of literature and an interest in learning, information, education, and research as well as other cultural activities.

The Government emphasises that it is particularly important to promote the status of literature because the written word, regardless of the technical format on which it is mediated, has a fundamental importance for the democratic debate, for education and research, and for cultural activities.

Here, as well as throughout the Library Act, literature should be understood in a wide sense. It includes all genres and technical formats, works of both fiction and non-fiction in physical and digital formats, as well as other forms through which the written word is mediated, for example newspapers and periodicals.

One of the aims that libraries should promote is an interest in learning. The intention, according to the government, is to point out that the mission is broader than simply supporting more instrumentally oriented educational activities. The individual aspiration for in-depth information and personal development should also be central to the work of libraries.

Another aim that is particularly emphasised is the promotion of research. According to the government bill, the government in this way wishes to highlight the importance of the activities carried out by university libraries, and by various special libraries.

It is particularly emphasised that not all of the aims stated in § 2 are such that they in equal measure can be the guiding principles for all types of libraries. Even if, for instance, research is to some extent carried out in public libraries, this aim is, for obvious reasons, more important for university libraries.

## **Library activities for everyone**

In § 2 of the Library Act is a general provision stating that library activities shall be available for everyone.

The government highlights the fact that this can be manifested in many various ways, and that library activities can be provided in many different ways in different situations. This may be done through public library branches, but also through mobile libraries and other types of outreach activities. The provision is formulated so that a particular emphasis is placed on library activities being intended for everyone, without limitation to Swedish citizens or to persons registered as residents in a specific municipality.

Read more about these provisions in the government bill New Library Act (Govt Bill 2012/13:147), pp. 11-15.

Read more about the basic mission of libraries in *Bibliotekens internationella manifest* [The international library manifestos] (2014), a book published by Swedish Library Association and the Swedish National Commission for UNESCO.



PIIA LINDENBERG  
Abell  
VINNI KAN LOTTA  
NASTAN ALTING  
VALLA och BJÖRN  
FÄR  
H  
KÄNNER DU  
Vilda Bebin  
SKROT-NISSE  
PIIA LINDENBERG

## Distribution of responsibilities

**3§** The principal organisers for libraries are municipalities, county councils, and, with respect to certain schools, private actors.

1. Municipalities are responsible for public libraries.
2. Municipalities, county councils, the state, or private principal organisers are responsible for school libraries in accordance with the provisions in Chapter 2 of the Education Act (2010:800).
3. County councils and those municipalities that are not included in a county council are responsible for regional library activities.
4. The state is responsible for university libraries at universities that are subject to the Higher Education Act (1992:1434).
5. The state is responsible for interlibrary lending centres.
6. Responsible for other publicly financed library activities is the institution that, in accordance with special provisions, is the principal organiser of the activities in question.

If someone other than the principal organiser runs a municipal or state library, that principal organiser is responsible for ensuring that the institution that runs the library complies with the provisions of this Act.

## Who is responsible for complying with the provisions of the Act?

In the Library Act the distribution of responsibilities among various principal organisers in the library system is made clear. Being responsible for the activities means, among other things, being responsible for complying with the provisions of the Library Act.

The Act states, for example, that municipalities are responsible for public libraries and that the state is responsible for university libraries. Considering how schools are organised today, municipalities, county councils, the state, and private principal organisers can all be responsible for school libraries. It should be clarified that according to the Education Act (2010:800), private principal organisers within the school system are individually responsible for ensuring that their pupils have access to school libraries. Municipalities are only responsible for ensuring that their own pupils have access to school libraries.

It is also stated in the Act that if a municipal or state library is run by someone else, the principal organiser is responsible for ensuring that the institution that runs the library complies with the provisions of the Act. This amounts to a general clarification that principal organisers cannot escape their responsibilities by contracting other individuals or entities to perform the activities.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 15-16.

## Prioritised groups

**4§** The libraries in the public library system shall devote particular attention to persons with disabilities, including by offering, based on the varying needs and prerequisites of such persons, literature and assistive technology so that they are able to gain access to information.

**5§** The libraries in the public library system shall devote particular attention to national minorities and persons with a native language other than Swedish, including by offering literature in

1. the national minority languages,
2. other languages than the national minority languages and Swedish, and
3. easy-to-read Swedish.

## Universal access to information and knowledge

Universal access to information and knowledge is an essential precondition for participation in society and the development of a democratic society. This is especially important to consider with regard to groups that encounter linguistic or other obstacles when taking part of the range of information in the media marketplace.

Against this background, there are provisions in the Library Act that imply that certain groups shall be particularly prioritised in the activities of libraries. These provisions apply to all types of libraries within the public library system.

## Libraries shall pay attention to persons with disabilities

The libraries in the public library system shall devote particular attention to persons with disabilities. Among other ways, this can be done

by offering these persons – on the basis of their varying needs and prerequisites – literature and assistive technology to help them gain access to information.

It is worth foregrounding the fact that assistive technology is also mentioned as examples of what libraries should offer. Even though persons with different types of disabilities have different needs, the existence of assistive technology is in many cases a necessity. Examples of this are reading and writing aids for dyslexics, and special software and specially adapted computers for persons with visual impairments or other reading disabilities.

### **Libraries shall pay attention to national minorities**

Libraries in the public library system shall devote particular attention to national minority groups. In the Library Act, there is no comprehensive listing of the various ways in which activities should be adapted for these groups. It is stated, however, that this has to do with supplying literature in the national minority languages, i.e., in Finnish, Yiddish, Meänkieli, Romani, and Sami.

The fact that the national minorities and minority languages hold a special position is clear from the Swedish commitments on the basis of the international Framework Convention for the Protection of National Minorities (SÖ 2000:2) and the European Charter for Regional or Minority Languages (SÖ 2000:3). This is also made clear in the legal regulations of the Language Act (2009:600) and the Act (2009:724) on National Minorities and Minority Languages.

### **Libraries shall pay attention to people with a native language other than Swedish**

The provision in § 5 of the Library Act includes paying special attention to anyone who has a native language other than Swedish. Neither in this case is there a comprehensive listing in the Library Act of the various ways in which library activities should be adapted to these groups.

However, this has to do with, among other things, being able to offer literature in a language that is relevant for the users. Also, the importance of providing media in easy-to-read Swedish is mentioned in this context.

This provision does not imply that all libraries in their own collections must have literature in all relevant languages. To meet the needs of users, libraries can also make use of, for example, interlibrary loans in order to offer relevant literature and information in various languages.

It is worth taking special note of the fact that the provision regarding native languages other than Swedish also includes Swedish sign language. Swedish sign language holds a special position in Swedish society, and according to the legislator, libraries are among those who have a particular responsibility for protecting and promoting it.

Read more about these provisions in the government bill New Library Act (Govt Bill 2012/13:147), pp. 16-19.



## Public libraries

**6§** Every municipality shall have a public library. Public libraries shall be accessible to everyone and adapted to the needs of their users.

The selection of media and services in public libraries shall be characterised by versatility and quality.

**7§** Public libraries shall in particular promote reading and access to literature. Public libraries shall act to increase knowledge about how information technology can be used for the attainment of knowledge, learning, and participation in cultural life.

**8§** Public libraries shall devote particular attention to children and young adults in order to promote their linguistic development and encourage them to read, including by offering literature on the basis of their needs and prerequisites.

**9§** In public libraries the general public shall be able to borrow or in other ways be given access to literature free of charge, for a certain time, irrespective of its form of publication.

The first paragraph does not preclude public libraries from charging

1. reimbursement costs for postage, photocopying, and other services of this kind, and
2. fees in case the borrower does not return borrowed media by an agreed-upon time.

## Public libraries for everyone

According to the Library Act, each municipality shall have at least one public library. What is meant by 'public library' is not given a detailed definition in the Act – above all because it is assumed to be general

knowledge - but certain overarching principles for the services that should be offered by public libraries are, on the other hand, specified.

Public libraries shall, according to the Act, be accessible to everyone and be adapted to the needs of their users. The target group is thus not merely the residents of the municipality, or even all Swedish citizens - public libraries should be accessible to everyone, even to, e.g., visitors to a place and people without Swedish citizenship.

The idea that public libraries should be adapted to the needs of their users should be understood in the same way. The user perspective applies to all users, not just the residents of the municipality. In the government bill the Government stresses that it is of great importance that libraries obtain information about, and take into consideration, the wishes and opinions that library users have regarding the activities. The fact that public libraries should be adapted to suit the needs of their users does not, of course, preclude a public library from also attempting to reach people who do not yet use the library.

### **The range of media and services in public libraries shall be characterised by quality and versatility**

According to the Library Act, the selection of media and services in public libraries shall be characterised by versatility and quality.

According to the government bill, the idea that the range of media and services in the public libraries should be versatile means, among other things, that it must not be governed by ideological or religious pressures. In particular, the Government emphasises the importance of providing scope for various opinions in the media provided by public libraries. This is because users should be given the opportunity to form their own informed opinions about controversial issues.

The idea that quality should be a guiding principle means, among other things, that public libraries should make an active selection based on

quality criteria when they plan their purchases, procure services, or weed their collections. The government emphasises that public libraries can promote an interest in literature and reading, for example by offering a wide and varied selection of literature in various technical formats consisting of both fiction and non-fiction literature, newspapers, and periodicals.

In the bill the government underlines that the provision regarding versatility and quality will affect the decisions a municipality can make regarding its public library activities, and that this to a certain extent restricts municipal autonomy. According to the government, it is, for example, not possible for a municipality to decide that the libraries in the municipality should have a distinctly limited or lopsided range of media.

### **Public libraries shall promote reading**

It is stated in the Library Act that public libraries in particular shall promote reading and access to literature.

The government bill states that it is particularly important to emphasise the public library's mission of promoting reading against the backdrop of the negative development with respect to reading comprehension that has been observed during recent years. It is pointed out that the development of good reading ability is closely connected with a desire to read and with actual reading habits. In order to encourage people to read, it is important that children and young people encounter literature early on, in a voluntary manner and on the basis of their own interests. Particularly with respect to children from families that are unaccustomed to reading, libraries play a crucial role.

### **Public libraries shall increase the knowledge of how digital technology can be used**

Public libraries shall, according to the Library Act, attempt to increase knowledge about how information technology can be used for the attainment of knowledge, learning, and participation in cultural life.

This provision is directed at the ability to use digital technology in order to obtain and evaluate information. In particular, the government bill stresses the fact that although many people today have great knowledge of how to use information technology, this is not true for all groups. It is also noted that even technologically proficient people may lack crucial insight regarding how to relate to digital information sources and how information can be problematised, evaluated, and critically examined.

### **Public libraries shall promote the linguistic development of children and young adults**

According to the Library Act, public libraries shall devote particular attention to children and young adults in order to promote their linguistic development and encourage them to read.

The Government underlines that the motivation for this provision is the crucial importance of reading ability for society, and that it is very important that public library services aimed at children and young adults continue to develop. The Government also stresses that it is important that public libraries in this task also take into consideration the prerequisites of the entire young adult group, i.e., and not only the needs of younger children.

In the provision it is stated that libraries shall promote the linguistic development of children and young adults by offering literature on the basis of the needs and preconditions of this target group. This means that libraries must take into consideration, among other things, various age groups and the different prerequisites children and young adults may have, for instance on account of disabilities. This also means taking into consideration the interests of children and young adults, and, in order to be able to do this, learning about and paying attention to their views. It is important that children and young adults themselves are given an opportunity to influence how libraries conduct their activities in this regard.

## **Loans free of charge at public libraries**

One of the central provisions of the Library Act is the one about the absence of fees. In the Act it is provided that the general public in public libraries shall be allowed to borrow or in other ways have access to literature free of charge, regardless of its form of publication, that is, irrespective of it being provided in physical form or digitally in the form of, for instance, an e-book. The reason why fees may not be charged is that they prevent the free access of users to library resources.

The word 'literature' in the provision includes both fiction and non-fiction and applies to all technical formats. On the other hand, fees may be charged for, for example, films, music, and computer games. The reason for this limitation is that the legislator believes that literature and the written word hold a unique position in society that justifies more far-reaching regulations than other cultural expressions. However, other cultural expressions not being mentioned does not preclude these being provided free of charge as well.

As the government notes in the bill about the Library Act, the idea of an absence of fees has overwhelming support throughout the library sector. However, the provision on the absence of fees only applies to municipal public libraries. According to the government, the reason for this is that public libraries hold a unique position because they are aimed at the general public, which justifies more far-reaching legal regulation of what fees may be charged.

According to the Library Act, even public libraries have the right to charge reimbursement fees for postage, photocopying, and other similar services. They may also charge overdue fines. On the other hand, the government points out in the bill that, e.g., reservation fees must correspond to a direct and actual cost for the libraries. If they do not, these fees may be equated with hidden fees for library services, and in such cases they are not permitted.

Read more about these provisions in the government bill New Library Act (Govt Bill 2012/13:147), pp. 19-33.



## School libraries

**10§** In accordance with Chapter 2, Section 36 of the Education Act (2010:800), all pupils in compulsory school, compulsory education for pupils with intellectual disabilities, special school primarily for pupils with impaired hearing and/or with severe speech and language disabilities, Sami school, upper secondary school, and upper secondary education for pupils with learning disabilities shall have access to school libraries.

### **All pupils shall have access to school libraries**

In the Library Act there is a reference to the regulation in the Education Act (2010:800) that provides that pupils in compulsory school, compulsory education for pupils with intellectual disabilities, special school primarily for pupils with impaired hearing and/or with severe speech and language disabilities, Sami school, upper secondary school, and upper secondary education for pupils with learning disabilities shall have access to school libraries.

In the motivation for the provision, the government writes that school libraries play an important role for stimulating pupils' interest in reading and literature and for meeting the pupils' needs for materials for their education. This is the justification for the demand for access to school libraries being given its own provision in the Education Act.

By school library is meant, according to the government, a common and organised resource of media and information that is put at the disposal of pupils and teachers and that is included in the educational activities of the school with the purpose of supporting the learning activities of the pupils. The Swedish Schools Inspectorate has also specified how this provision should be interpreted. This public authority states that the fol-

Following requirements must be fulfilled for the pupils to be considered to have access to a school library:

- The pupils have access to a school library on the premises of their own school unit or at a reasonable distance from their school that makes it possible for them to continually use the library as a part of their education in order for it to contribute to reaching the goals of their education.
- The library encompasses books, fiction and non-fiction literature, information technology and other media.
- The library is adapted to the needs of the pupils in order to promote their linguistic development and encourage them to read.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 33-34.





## Regional library activities

**11 §** Every county council and the municipalities that are not included in a county council shall conduct regional library activities with the purpose of promoting cooperation, operational development, and quality with respect to the public libraries that are active in the county.

### **The county councils shall conduct regional library activities**

Every county council shall conduct regional library activities with the purpose of promoting collaboration, operational development, and quality in the public libraries that are active in the county.

The complementary supply of media, which for a long time was the main task at the regional level, can still be important, but today the mission has a more strategic orientation. However, the Act does not specify how cooperation, operational development, and quality should be promoted.

Public libraries are the primary target group for regional library activities. However, the Government particularly emphasises that where appropriate, activities such as school library activities conducted in the county should also be included in this work.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 34-35.



## University libraries

**12§** There shall be access to university libraries in all universities that are subject to the Higher Education Act (1992:1434). These libraries shall conduct library activities within areas connected to the education and research at the university in question.

### **There shall be access to university libraries**

The Library Act states that there shall be access to university libraries in all universities that are subject to the Higher Education Act (1992:1434). These libraries shall conduct library activities within areas connected to the education and research at the university or in question.

The reference to the Higher Education Act means that the provision applies to universities for which the state is the principal organiser, but not, for instance, to foundations such as Chalmers University of Technology or Jönköping University. All library activities that are mainly financed through public means are, however, subject to several other provisions in the Library Act, regardless of who the principal organiser is.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 36-37.



## Interlibrary lending centres

**13§** There shall be one or more interlibrary lending centres for a complementary supply of information and media.

### **The state is responsible for the activities of interlibrary lending centres**

The Library Act states that there shall be one or more interlibrary lending centres in the country. Their mission is to be responsible for a complementary supply of information and media to the rest of the library system. The provision means that the state should be responsible for the activities of interlibrary lending centres, but it does not regulate how these activities should be organised or whether they should be conducted in the form of one or more interlibrary lending centres.

Today there is, in practice, only one interlibrary lending centre, the National Repository Library and Interlibrary Lending Centre, which is affiliated with the Umeå city library. The National Repository Library and Interlibrary Lending Centre deals with a complementary supply of media and other issues related to collections, but it is also, for instance, a national centre of competence for the development of LIBRIS (the joint online catalogue of the Swedish academic and research libraries).

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 37-38.



## Collaboration

**14§** For the purpose of providing access to the collected library resources in the country, libraries and principal organisers for libraries within the public library system shall collaborate.

**15§** The libraries in the public library system shall make literature from their own collections available to each other free of charge.

The obligation to make literature available free of charge does not apply to public or school libraries.

**16§** The provision in Chapter 2, Section 1 of the Swedish Local Government Act (1991:900) concerning a connection with the area of the municipality or its members does not preclude public or school libraries from making literature available, free of charge, to a library in the public library system that is located outside the municipal boundary.

### **Libraries shall collaborate in order to provide everyone with access to library resources**

The Library Act states that libraries and principal organisers for libraries within the public library system shall collaborate with each other. The overarching purpose is to give all users access to the collected library resources of the country.

The Government states that there are good reasons for treating the public library system, that is to say, all publicly financed libraries, as, essentially, a common resource. This is why the collaboration between libraries and principal organisers for libraries has been given a prominent position in the Act. Collaboration can be manifested in many ways, and the Act does not specify what areas should be included.

In practice it can be anything from common solutions for catalogues and search systems to information exchange, information supply, and skills development.

### **Interlibrary loans shall be free of charge**

The Act states that the libraries in the public library system shall make literature from their own collections available to each other free of charge. In this way interlibrary loans are facilitated, and users all over the country can have access to the literature they are looking for.

In spite of a reduction in volume during the last decade, interlibrary loans still fill an important function for equal access to information for everyone in the country. In the justification for the provision, the Government points out that it should be possible, to a significant extent, for Swedish library collections to be made available and be used in common. According to the government, it is important that people in different parts of the country have good access to literature, even in Sweden's many small and sparsely populated municipalities.

Good access is, according to the government, important for a free exchange of opinions as well as for the purpose of studying and for having access to works of art. It is also vital that there are opportunities all over the country to have access to literature and information in other languages than Swedish, and to media adapted to special needs.

### **Cooperation on interlibrary loans**

The provisions of the Library Act regarding interlibrary loans free of charge do not mean that libraries have to make all literature in their own collections available to other libraries. According to the government bill, an assessment of the appropriateness of the media in question may be made with respect to its nature and condition, and to the costs an interlibrary loan would entail.

Every library also has an opportunity to make exceptions for certain categories of media, for instance older or fragile material, recently pub-

lished literature, and course books. It is also evident that literature cannot be made available if the library in question does not have the right to distribute it further. The latter circumstance may apply primarily to electronic media.

As for municipal public and school libraries, the Library Act makes it legally possible for them to participate on equal terms in cooperation on interlibrary loans. This is done by the Act allowing for the lending of literature free of charge to libraries also in other municipalities. This is done by means of an exception to the so-called localisation principle in the Local Government Act (1991:900). However, the government stresses that it is voluntary for municipal libraries to make literature available to other libraries within the framework of the cooperation on interlibrary loans.

Read more about these provisions in the government bill New Library Act (Govt Bill 2012/13:147), pp. 38-42.



## Library plans

**17§** Municipalities and county councils shall adopt library plans for their activities in the library field.

### **Municipalities and county councils shall adopt library plans**

According to the Library Act, municipalities and county councils shall adopt library plans for their activities in the library field. The inclusion in 2004 of the requirement for library plans in the legislation has highlighted the various functions of the municipal libraries and contributed to strengthening the role of libraries at the local level.

In the bill, the government emphasises that plans are required for library activities both at the local and regional levels. The reason is not least the importance of the plans for an opportunity for follow-ups, coordination, and quality development at the national level. What is implied in the provision is a separate plan specifically for library activities. The government emphasises that it can certainly be reasonable to coordinate the work on library plans with the work on regional cultural plans. However, this does not mean that the legally prescribed requirement for county councils to adopt special library plans can be replaced. The reason for calling for a separate document is that the planning of library activities otherwise risks becoming far too superficial.

The activities that must be included in a library plan are library activities for which a municipality or a county council are the principal organisers. If a municipality is the principal organiser for school library activities, this shall also be included in the plan. In a corresponding way, hospital library activities shall be included if a county council is the principal organiser for such activities.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 42-45.

OKALA LÄN



## Follow-up

**18§** An authority of the Government's choice shall have national oversight of and promote collaboration within the public library system.

This authority, together with the regional libraries and the municipalities, shall follow up how the library plans that have been adopted have been formulated and how they are used.

## **The National Library of Sweden shall have national oversight and promote collaboration**

The Library Act states that an authority of the government's choice shall have national oversight of and promote collaboration within the public library system. The government has decided that the National Library of Sweden shall have this mandate. The National Library's mission is, among other things - and this is also stated in the guiding principles of this authority - to follow up on how municipal and regional library plans have been formulated and how they are used.

According to the government, both the need for greater coordination and the need for a follow-up of the library plans justify more unified work at the national level. With a functioning national collaboration, the collected resources of the public library system can be used more rationally, and accessibility can be enhanced. The need for collaboration and coordination has grown because users have increasingly come to view library activities as a common resource.

According to the government, it is important that the state promotes a national common understanding for the purpose of achieving high-quality library services in the entire country. The lack of follow-up of library activities in various parts of the country has contributed to the

continued presence of significant differences in standards, with respect to both municipal and regional library activities. The fact that a more comprehensive follow-up of public and school libraries has not been accomplished earlier at the national level has led to the lack of a common approach regarding standards, criteria for follow-ups, and the formulation of library plans.

Read more about this provision in the government bill New Library Act (Govt Bill 2012/13:147), pp. 45-48.

## **What measures can be taken if the Act is not complied with?**

The Library Act is drawn up as a framework law providing for overarching principles. The Act involves obligations for the state to give private individuals access to library activities. On the other hand, the Act is not designed to give private individuals an opportunity to demand rights of a certain kind.

However, a private individual has the potential to request, in accordance with the provisions of the Local Government Act (1991:900), an assessment of the legality of a decision taken by a municipality or a county council, for example concerning that municipality's or county council's library activities. If the decision in question has not been taken in due order, or if it refers to something that is not a concern of the municipality or the county council, if the body that made the decision has exceeded its powers, or if the decision is contrary to a law or other statutory provision, the decision shall be repealed. Municipal decisions that mean that library activities are impoverished in such a way that the requirements of this Act cannot be fulfilled can thus be appealed against in this manner.

With respect to school libraries, these are regulated in greater detail in the Education Act, and it is the provisions of this Act regarding requirements for principal organisers of schools that govern what can be done if the library activities do not fulfil the requirements. The Swedish Schools Inspectorate is the government supervisory authority responsible for activities that are conducted in accordance with the Education Act. The Schools Inspectorate can, on the basis of the Education Act, order a principal organiser to eliminate deficiencies under penalty of a fine. This has been done in several cases where school libraries have failed to meet their legal requirements.



## **The importance of competent staff was particularly stressed by the Riksdag**

During the parliamentary reading of the government bill on a new Library Act, several proposals were handed in regarding expanded provisions. For instance, demands for provisions regarding staffing and special qualifications for public library staff were suggested. The parliamentary majority rejected these proposals on additions, but at the same time the members of the Committee on Cultural Affairs expressed their opinion through urgent formulations:

In conclusion, the proposed Library Act places demands on public libraries that can hardly be met without staff with the relevant training. It must be considered a necessary precondition for upholding the legal requirements that public libraries are staffed with personnel that have adequate qualifications. [...] The responsibilities of municipalities must be considered to include making sure that the staff has the necessary qualifications for meeting the demands on public libraries formulated in the Act.

Read more about the parliamentary reading in the report of the Committee on Cultural Affairs, New Library Act (2013/14:KrU2), p. 15.



## References

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